

UNITED STATES DISTRICT COURT      **JS-6 / REMAND**  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 16-2054 DMG (AJWx)** Date May 24, 2016

Title ***Francisco Limon v. National Retail Transportation, Inc.*** Page 1 of 1

Present: The Honorable DOLLY M. GEE, UNITED STATES DISTRICT JUDGE

KANE TIEN  
Deputy Clerk

NOT REPORTED  
Court Reporter

Attorneys Present for Plaintiff(s)  
None Present

Attorneys Present for Defendant(s)  
None Present

**Proceedings: IN CHAMBERS—ORDER RE PLAINTIFF’S MOTION TO REMAND [13]**

On July 2, 2015, Plaintiff Francisco Limon filed a class action complaint (“Compl.”) in Alameda County Superior Court on behalf of himself and others similarly situated against Defendant National Retail Transportation (“NRT”). [Doc. # 1-1.]

On November 18, 2015, this case was transferred to Los Angeles County Superior Court and related to the following cases: *Eduardo Rodriguez v. National Retail Transportation, Inc.*, Case No. BC594139 (*Rodriguez* Matter), and Hector A. Valdez v. National Retail Transportation, Inc., Case No. BC574626 (*Valdez* Matter). (Notice of Removal ¶ 4 [Doc. # 1].) This action was then removed to federal court on March 25, 2016 on the basis of federal question jurisdiction, and transferred to this Court on April 4, 2016, as a case related to the *Rodriguez* Matter, and assigned case number 16-2054 DMG (AJWx). [Doc. ## 1, 10.] The *Valdez* matter was also transferred to this Court as a related case on April 4, 2016 and assigned case number 16-2057 DMG (AJWx). (*Valdez* Matter Doc. # 12.)

On April 19, 2016, the parties in *Rodriguez* stipulated to remand that case to state court. (*Rodriguez* Matter Doc. # 11.) On April 21, 2016, Plaintiffs in this case and *Valdez* filed motions to remand on identical grounds, and on the same factual basis, namely that (1) Defendants were aware of the possible federal preemption argument more than 30 days before the filing of the notice of removal and (2) federal law does not preempt plaintiffs’ claims. (*Limon* Matter Doc. # 13, *Valdez* Matter Doc. # 15.)

For the same reasons set forth in the Court’s May 24, 2016 order in the *Valdez* Matter [Doc. # 21 in the *Valdez* Matter, Case No. 16-2057 DMG (AJWx)], Limon’s motion to remand is **GRANTED**. This case is hereby remanded to Los Angeles County Superior Court. All scheduled dates and deadlines are **VACATED**.

**IT IS SO ORDERED.**